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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANTS: Esa Harma CONF. NO.: 7550
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TITLE: METHOD AND ARRANGEMENT FOR DISTRIBUTING,
EXECUTING AND CONSUMING RECREATIONAL
APPLICATIONS IN AND BETWEEN MOBILE
TELECOMMUNICATION DEVICES
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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

This is in response to the Notification of Non-Compliant Appeal Brief mailed on 20 May 2008. A revised "CLAIM APPENDIX" is attached hereto.

CLAIM APPENDIX

1. A method for distributing a recreational application within a group of mobile terminals of a wireless network system, the method comprising the steps of:

transmitting from a first terminal of said group of terminals to a second terminal of said group of terminals, a proposal for setting up a session of utilising a recreational application and

only after the second terminal has received said proposal, using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess executable software components of said recreational application for setting up a common, shared session and for executing said recreational application on said first and second terminals.

2. A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal to the first terminal a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
- c) as a response to receiving said request in said first terminal, transmitting said software component from the first terminal to the second terminal.

3. A method according to claim 2, comprising, between steps a) and b), the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

4. A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal through a local communication link.

5. A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal to the second terminal through the wireless network system.

6. A method according to claim 2, comprising after step c) the steps of:

d) transmitting from the second terminal to the first terminal an acknowledgement indicating the reception of said software component and

e) after step d), indicating to the users of the first and second terminals the readiness of utilising the recreational application.

7. A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

c) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal.

8. A method according to claim 7, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

9. A method according to claim 7, comprising after step c) the steps of:
 - d) transmitting from the second terminal to the first terminal an acknowledgement indicating the reception of said software component and
 - e) after step d), indicating to the users of the first and second terminals the readiness of utilising the recreational application.
10. A method according to claim 1, comprising the steps of:
 - a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,
 - b) transmitting from the second terminal to the first terminal a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,
 - c) as a response to receiving said request in said first terminal, transmitting a network address of a recreational application server from the first terminal to the second terminal,
 - d) transmitting from the second terminal to said recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
 - e) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal.
11. A method according to claim 10, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

12. A method according to claim 10, comprising after step e) the steps of:
 - f) transmitting from the second terminal to the first terminal, an acknowledgement indicating the reception of said software component and
 - g) after step f), indicating to the users of the first and second terminals the readiness of utilising the recreational application.
13. A method according to claim 1, comprising the steps of:
 - a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,
 - b) transmitting from the second terminal to the first terminal a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,
 - c) as a response to receiving said request in said first terminal, transmitting from the first terminal to a recreational application server a request for downloading into the second terminal a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
 - d) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal.
14. A method according to claim 13, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.
15. A method according to claim 13, comprising after step d) the steps of:

- e) transmitting from the second terminal to the first terminal an acknowledgement indicating the reception of said software component and
- f) after step e), indicating to the users of the first and second terminals the readiness of utilising the recreational application.

16. A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal to the first terminal a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,
- c) as a response to receiving said request in said first terminal, transmitting from the first terminal to a recreational application server a request for downloading into the first terminal a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,
- d) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal and
- e) as a response to receiving said software component, transmitting from the first terminal to the second terminal a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications.

17. A method according to claim 16, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an

indication of acceptance concerning one of said number of proposed recreational applications.

18. A method according to claim 16, comprising after step e), the steps of:

- f) transmitting from the second terminal to the first terminal an acknowledgement indicating the reception of said software component and
- g) after step f), indicating to the users of the first and second terminals the readiness of utilising the recreational application.

19. A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal to the second terminal a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal to the first terminal a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications,
- c) transmitting from the first terminal to a recreational application server a first request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,
- d) transmitting from the second terminal to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,
- e) as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal,

f) as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal and

g) exchanging a pair of messages between the first and second terminal indicating the readiness of utilising the recreational application.

20. A method according to claim 19, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

21. A method according to claim 19, comprising after step g) the step of indicating to the users of the first and second terminals the readiness of utilising the recreational application.

22. A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal to the second terminal a proposal for setting up a common, shared session of utilising a recreational application,

b) transmitting from the second terminal to the first terminal a proposal identifying a number of proposed recreational applications,

c) transmitting from the first terminal to the second terminal a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

d) as a response to receiving said request in said second terminal, transmitting said software component from the second terminal to the first terminal.

23. A method according to claim 22, comprising between steps b) and c) the step of presenting said number of proposed recreational applications to the user of the first

terminal, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

24. A method according to claim 22, comprising after step d) the step of indicating to the users of the first and second terminals the readiness of utilising the recreational application.

25. A method according to claim 1, characterised in that the step of using the communicational capabilities of at least one of the first and second terminal to establish a state where both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal to the second terminal a complete copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application.

26. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal to the second terminal a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the first terminal .

27. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals to establish a state where

both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of:

transmitting from the first terminal to the second terminal a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application.

28. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal to establish a state where both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the first terminal to the second terminal an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the second terminal to a recreational application server, and

transmitting from said recreational application server to the second terminal a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the first terminal .

29. A method according to claim 28, comprising the step of imposing a charge to the user of the first terminal for setting up a common, shared session of utilising said recreational application together with the second terminal.

30. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess enough software components

for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal to the first terminal an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal to a recreational application server, and

transmitting from said recreational application server to the second terminal a copy of software components needed for setting up a common, shared session of utilising said recreational application.

31. A method according to claim 30, comprising the step of imposing a charge to the user of the second terminal for setting up a common, shared session of utilising said recreational application together with the particular first terminal in question.

32. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal to the first terminal an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal to a recreational application server together with another authenticated offer from the first terminal for setting up a common, shared session of utilising said recreational application, and

transmitting from said recreational application server to the terminals copies of software components needed for setting up a common, shared session of utilising said recreational application.

33. A method according to claim 32, comprising the step of imposing charges both to the user of the second terminal for setting up a common, shared session of utilising said recreational application together with the first terminal and to the user of the first terminal for setting up a common, shared session of utilising said recreational application together with the second terminal.

34. A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal to establish a state where both the first terminal and the second terminal possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

exchanging information between the first and second terminals through a short-distance communications connection during said common, shared session of utilising said recreational application, and

after the exchanging of information between the first and second terminals through said short-distance communications connection becomes impossible, deeming the common, shared session of utilising said recreational application to be ended.

35. A method according to claim 34, additionally comprising the substep of refraining from other exchange of information between the first and second terminals through said short-distance communications connection during said common, shared session than such information that is needed to ensure that the short-distance communications connection is still active.

36. A terminal of a wireless network system, comprising

means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in the wireless network system and

means for responding to a situation where such proposals have been exchanged by using a communicational capability of said terminal to establish a state where both the terminal and another terminal possess enough executable software components of said recreational application for setting up a common, shared session of utilising said recreational application.

37. A method for distributing a recreational application within a group of at least two terminals of a wireless network system, the method comprising:

transmitting from a first terminal to a second terminal a proposal for setting up a session of utilising a recreational application and

only after the second terminal has received said proposal, using the communicational capabilities of at least one of the first and second terminals to establish a state where both the first terminal and the second terminal possess enough software components to, upon the receipt of an enabling token, execute software of said recreational application, said software being available for execution at the first terminal and the second terminal, for setting up a common, shared session utilising said recreational application.

38. A terminal of a wireless network system, comprising:

means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals in the wireless network system and

means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both the terminal and another terminal possess enough resident software components of said recreational application for execution at the terminal and the other terminal,

upon the receipt of an enablement token, for setting up a common, shared session and executing said recreational application.

39. A system of wireless terminals comprising a first terminal and a second terminal, comprising

in each of said first and second terminals, means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals and

in each of said first and second terminals, means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals to establish a state where both of said first and second terminals possess enough resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals.

40. A system of wireless terminals comprising a first terminal and a second terminal , comprising

in each of said first and second terminal, means for exchanging proposals for setting up sessions of utilising a recreational application with other terminals and

in each of said first and second terminal means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminals to establish a state where both of said first and second terminals possess enough software components to enable resident executable software of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals.

41. A wireless communications system for distributing a recreational application within a group of terminals, comprising:

a first terminal, a second terminal and a recreational application server,
in each of said first and second terminals, means for exchanging proposals for
setting up sessions of utilising a recreational application with other terminals and
in each of said first and second terminals and said recreational application server
means for responding to a situation where such proposals have been exchanged
by using communicational capabilities of the first and second terminals and said
recreational application server to establish a state where both of said first and
second terminals possess resident executable software components of said
recreational application for setting up a common, shared session for executing
said recreational application on said first and second terminals.

42. A wireless communications system for distributing a recreational application
within a group of terminals, comprising:

a first terminal, a second terminal and a recreational application server,
in each of said first and second terminals, means for exchanging proposals for
setting up sessions of utilising a recreational application with other terminals and
in each of said first and second terminals and said recreational application server
means for responding to a situation where such proposals have been exchanged
by using communicational capabilities of the first and second terminals and said
recreational application server to establish a state where both of said first and
second terminals possess resident software components of said recreational
application for setting up a common, shared session for executing said
recreational application on said first and second terminals.

43. A computer program product for causing a computer of a terminal of a wireless
network system to:

transmit from a first terminal to a second terminal a proposal for setting up a session of utilising a recreational application and

only after the second terminal has received said proposal, using communicational capabilities of the first terminal to establish a state where both the first terminal and the second terminal possess resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals.

44. A computer program product which, upon execution in a computer of a terminal of a wireless network system, produces

transmitting from a first terminal to a second terminal a proposal for setting up a session of utilising a recreational application and

only after the second terminal has received said proposal, using communicational capabilities of the first terminal to establish a state where both the first terminal and the second terminal possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminals.

Applicant requests that with the above revised section, the Appeal Brief be sent to the Board for review of the substantive issues in this application.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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